

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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Office: (317) 232-2701
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IN THE MATTER OF THE PETITION OF)
PHONECO, L.P. FOR A CERTIFICATE OF)
TERRITORIAL AUTHORITY TO PROVIDE)
SPECIAL ACCESS RESOLD AND FACILITIES-)
BASED LOCAL EXCHANGE AND INTRALATA)
LONG DISTANCE TELECOMMUNICATIONS)
SERVICES THROUGHOUT THE STATE OF)
INDIANA; FOR DECLINATION OF)
JURISDICTION UNDER I.C. § 8-1-2.6; FOR)
COMMISSION CONSENT TO USE PUBLIC RIGHTS)
OF WAY PURSUANT TO I.C. 36-2-2-23; FOR)
AUTHORITY TO PROVIDE CALLER ID SERVICES)
PURSUANT TO I.C. 8-1-2.9; AND APPLICATION)
CONFIDENTIAL TREATMENT AND TO SET)
PREHEARING CONFERENCE, PRELIMINARY)
HEARING AND FINAL HEARING ON THE SAME)
DAY)

FILED

JAN 30 2003

INDIANA UTILITY REGULATORY COMMISSION

CAUSE NO. 42361


You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On January 8, 2003, Petitioner, PhoneCo, L.P. (the "Petitioner"), filed its Petition with the Commission seeking authority to provide special access resold, facilities-based local exchange and interLATA Long Distance telecommunications services, including Caller ID, within the state of Indiana and requesting an Order by the Commission declining to exercise its jurisdiction pursuant to Ind. Code § 8-1-2.6.

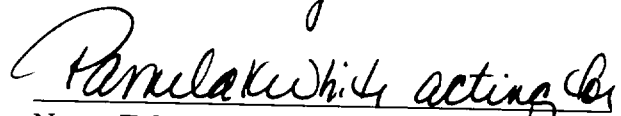
On January 9, 2003, Petitioner, pursuant to 170 I.A.C. 1-1.1-4 and Ind. Code § 5-14-3-4, filed its *Motion for Confidential Treatment of Proprietary Information* (the "Motion") in the above captioned Cause. In its Motion, Petitioner indicated that certain financial documents (hereinafter "Confidential Material") consist of non-public information that is proprietary to the Company. The Petitioner indicated in its Motion that it has taken reasonable precautions against disclosure of the Confidential Material, and that public disclosure of the material could provide a competitive advantage to competitors of the Company. Petitioner's Motion is supported by the Affidavit of Mr. Kenneth Weaver.

The Presiding Officer, having reviewed the information contained in the Petitioner's Motion now finds that there is a sufficient basis for a preliminary finding that confidential procedures are appropriate and should be followed concerning the Confidential Material to be submitted by the Company. Accordingly, the Petitioner should *hand deliver* to the Presiding Administrative Law Judge the Confidential Material, under seal and marked as confidential, and such information shall be treated as confidential on a preliminary basis, in accordance with Ind. Code § 5-14-3-4.

IT IS SO ORDERED.


Carol S. Comer, Administrative Law Judge

Date: January 30, 2003


Nancy E. Manley, Secretary to the Commission